



**Substitute Senate Bill No. 1139**

**Public Act No. 13-118**

**AN ACT CONCERNING CHANGES TO PROGRAM APPROVAL  
FOR INSTITUTIONS OF HIGHER EDUCATION AND DATA SHARED  
BY INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10a-34 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) For the purposes of this section, (1) "program of higher learning" means any course of instruction for which it is stated or implied that college or university-level credit may be given or may be received by transfer; (2) "degree" means any letters or words, diploma, certificate or other symbol or document which signifies satisfactory completion of the requirements of a program of higher learning; (3) "institution of higher [learning] education" means any person, school, board, association, limited liability company or corporation which is licensed or accredited to offer one or more programs of higher learning leading to one or more degrees; (4) "license" means the authorization by the [State Board of Education] Office of Higher Education to operate a program of higher learning or institution of higher [learning] education for a specified initial period; (5) "accreditation" means the authorization by said [board] office to continue operating a program of higher learning or institution of higher [learning] education for

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subsequent periods, and in such periods to confer specified degrees; (6) "program modification" means (A) a change in a program of higher learning that does not clearly qualify as a new program of higher learning or a nonsubstantive change, including, but not limited to, a new program of higher learning consisting primarily of course work for a previously approved program of higher learning, (B) an approved program of higher learning to be offered at an off-campus location, (C) a change in the title of a degree, or (D) a change in title of a program of higher learning; and (7) "nonsubstantive change" means (A) a new undergraduate certificate program, within an existing program of higher learning, of not more than thirty semester credit hours that falls under an approved program of higher learning, (B) a new baccalaureate minor of not more than eighteen semester credit hours, (C) a new undergraduate option or certificate program of not more than fifteen semester credit hours, or (D) a new graduate option or certificate program of not more than twelve semester credit hours.

(b) The Office of Higher Education shall establish regulations, in accordance with chapter 54, concerning the requirements for licensure and accreditation, such regulations to concern administration, finance, faculty, curricula, library, student admission and graduation, plant and equipment, records, catalogs, program announcements and any other criteria pertinent thereto, as well as the periods for which licensure and accreditation may be granted, and the costs and procedures of evaluations as provided in subsections (c), [and] (d) and (i) of this section. [Said office may establish an advisory council for accreditation composed of representatives of public and private institutions of higher learning and the public at large to advise the office regarding existing or proposed regulations.] Said office shall establish academic review commissions to hear each appeal of a denial by said office of an application by an institution of higher education for licensure or accreditation of a program of higher learning or institution of higher education. For each individual appeal, the executive director of said

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office, or the executive director's designee, shall select a commission that is comprised of four higher education representatives and five business and industry representatives chosen from a panel of twenty-five members, who shall be appointed as follows: (1) The Governor shall appoint five members; (2) the majority leader of the House of Representatives shall appoint five members; (3) the majority leader of the Senate shall appoint five members; (4) the minority leader of the House of Representative shall appoint five members; and (5) the minority leader of the Senate shall appoint five members. The executive director of said office, or the executive director's designee, shall ensure that each commission contains at least one member appointed by each of the appointing authorities. Each appointing authority shall select both higher education representatives and business and industry representatives, but not more than three from either category of representatives.

(c) No person, school, board, association or corporation shall confer any degree unless authorized by act of the General Assembly. No application for authority to confer any such degree shall be approved by the General Assembly or any committee thereof, nor shall any such authority be included in any charter of incorporation until such application has been evaluated and approved by the [State Board of Education] Office of Higher Education in accordance with regulations established by the Office of Higher Education.

(d) The Office of Higher Education shall review all requests and applications for program modifications, nonsubstantive changes, licensure and accreditation. The office shall review each application in consideration of the academic standards set forth in the regulations for licensure and accreditation adopted by said office in accordance with the provisions of subsection (b) of this section. Notwithstanding the provisions of section 10a-34e, any application that is determined by the office to be for (1) a program modification that meets all such academic

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standards, (2) a nonsubstantive change, (3) licensure, or (4) accreditation shall be deemed approved, and the office shall notify the institution of such approval, not later than forty-five days from the date the office receives such application without requiring any further action from the applicant.

(e) If the executive director of the Office of Higher Education, or the executive director's designee, determines that further review of an application is needed due at least in part to the applicant offering instruction in a new program of higher learning or new degree level, then the executive director or the executive director's designee shall conduct a focused or on-site review. Such applicant shall have an opportunity to state any objection regarding any individual selected to review an application on behalf of the executive director. For purposes of this subsection, "focused review" means a review by an out-of-state curriculum expert; and "on-site review" means a full team evaluation by the office at the institution of higher education.

(f) The executive director of the Office of Higher Education, or the executive director's designee, may require a focused or on-site review of any program application in a health-related field where a license in Connecticut is required to practice in such field.

(g) Any application for licensure of a new institution in this state shall be subject to an on-site review upon a determination by the Office of Higher Education that the application is complete and shall be reviewed at the institutional level for each program as described in subsection (b) of this section. Such process shall be completed not later than nine months from the date said office receives the application.

(h) If the Office of Higher Education denies an application for licensure or accreditation of a program or institution of higher education, the applicant may appeal the denial not later than ten days from the date of denial. The academic review commission shall review

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the appeal and make a decision on such appeal not later than thirty days from the date the applicant submits the appeal to said office.

[(d)] (i) No person, school, board, association or corporation shall operate a program of higher learning or an institution of higher [learning] education unless it has been licensed or accredited by the [State Board of Education] Office of Higher Education, nor shall it confer any degree unless it has been accredited in accordance with this section. [The board shall not grant any new license or accreditation until it has received a report of an evaluation of such program or institution by competent educators approved by the board.] The [board] office shall accept regional [or, where appropriate, national] accreditation, in satisfaction of the requirements of this subsection unless the [board] office finds cause not to rely upon such accreditation. If any institution of higher education provides evidence of programmatic accreditation, the office may consider such accreditation in satisfaction of the requirements of this subsection and deem the program at issue in the application for accreditation to be accredited in accordance with this section. National accreditation for Connecticut institutions of higher education accredited prior to July 1, 2013, shall be accepted as being in satisfaction of the requirements of this subsection unless the office finds cause not to rely on such national accreditation.

[(e)] (j) No person, school, board, association or corporation shall use in any way the term "junior college" or "college" or "university" or use any other name, title, literature, catalogs, pamphlets or descriptive matter tending to designate that it is an institution of higher [learning] education, or that it may grant academic or professional degrees, unless the institution possesses a license from, or has been accredited by, the [board] office, nor shall it offer any program of higher learning without approval of the [State Board of Education] Office of Higher Education.

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[(f)] (k) Accreditation of any program or institution or authority to award degrees granted in accordance with law prior to July 1, 1965, shall continue in effect.

[(g) If an existing institution, adversely affected by this section, applies to the board for licensure or accreditation, said board may grant licensure on a temporary basis to expire within one year and renewable from year to year, if, in the judgment of the board, reasonable progress is being made by such institution toward meeting the standards required by regulations of the board.]

Sec. 2. Subsection (d) of section 10a-34a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(d) The person, school, board, association or corporation aggrieved by the order of the executive director imposing an administrative penalty pursuant to subsection (c) of this section shall, not later than fifteen days after such order is mailed, request, in writing, a hearing before the [State Board of Education] Office of Higher Education. Such hearing shall be held in accordance with the provisions of chapter 54.

Sec. 3. Section 10a-34c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The executive director of the Office of Higher Education may conduct an investigation and, through the Attorney General, maintain an action in the name of the state against any person, school, board, association or corporation to restrain or prevent the establishment or operation of an institution that is not licensed, accredited or authorized to award degrees by the [State Board of Education] Office of Higher Education pursuant to the provisions of section 10a-34, as amended by this act.

Sec. 4. Subsection (a) of section 10a-6 of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Board of Regents for Higher Education shall: (1) Establish state-wide policy and guidelines for Connecticut's system of public higher education; (2) develop a master plan for higher education and postsecondary education, consistent with the goals in subsection (b) of this section; (3) establish state-wide tuition and student fee policies; (4) establish state-wide student financial aid policies; (5) monitor and evaluate institutional effectiveness and viability in accordance with criteria established by the board; (6) merge or close institutions within the Connecticut State University System, the regional community-technical college system and the Board for State Academic Awards in accordance with criteria established by the board, provided (A) such recommended merger or closing shall require a two-thirds vote of the board and (B) notice of such recommended merger or closing shall be sent to the committee having cognizance over matters relating to education and to the General Assembly; (7) review and approve mission statements for the Connecticut State University System, the regional community-technical college system and the Board for State Academic Awards and role and scope statements for the individual institutions and campuses of such constituent units; (8) review and approve any recommendations for the establishment of new academic programs submitted to the board by the [constituent unit boards of trustees] state colleges within the Connecticut State University System, the regional community-technical colleges and the Board for State Academic Awards, and, in consultation with the affected constituent units, provide for the initiation, consolidation or termination of academic programs. The Board of Regents for Higher Education shall notify the board of trustees affected by the proposed termination of an academic program. Within ninety days of receipt of such notice, said trustees shall accept or reject the termination proposal and shall notify the Board of Regents for Higher Education of its action. If the

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termination proposal is rejected by the trustees, the Board of Regents for Higher Education may override the rejection by a two-thirds vote; (9) develop criteria to ensure acceptable quality in programs and institutions and enforce standards through licensing and accreditation; (10) prepare and present to the Governor and General Assembly, in accordance with section 10a-8, consolidated operating and capital expenditure budgets for public higher education developed in accordance with the provisions of said section 10a-8; (11) review and make recommendations on plans received from the constituent unit boards of trustees for the continuing development and maximum utilization of the state's public higher education resources; (12) appoint advisory committees to assist in defining and suggesting solutions for the problems and needs of higher education; (13) establish an advisory council for higher education with representatives from public and private institutions to study methods and proposals for coordinating efforts of all such institutions in providing a stimulating and enriched educational environment for the citizens of the state, including measures to improve educational opportunities through alternative and nontraditional approaches such as external degrees and credit by examination; (14) coordinate programs and services throughout public higher education and between public and independent institutions, including procedures to evaluate the impact on independent institutions of higher education of proposals affecting public institutions of higher education; (15) make or enter into contracts, leases or other agreements in connection with its responsibilities under this part, provided all acquisitions of real estate by lease or otherwise shall be subject to the provisions of section 4b-23; (16) be responsible for the care and maintenance of permanent records of institutions of higher education dissolved after September 1, 1969; (17) prepare and present to the Governor and General Assembly legislative proposals affecting public higher education, including proposals which utilize programs and facilities of independent institutions of higher education; (18) develop and maintain a central higher education



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information system and establish definitions and data requirements for the state system of higher education; [and] (19) report all new programs and program changes to the Office of Higher Education; and (20) undertake such studies and other activities as will best serve the higher educational interests of the state.

Sec. 5. Subsection (a) of section 10a-104 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Board of Trustees of The University of Connecticut shall: (1) Make rules for the government of the university and shall determine the general policies of the university, including those concerning the admission of students and the establishment of schools, colleges, divisions and departments, and shall direct the expenditure of the university's funds within the amounts available; (2) develop the mission statement for The University of Connecticut, and all campuses thereof, which shall include, but not be limited to, the following elements: (A) The educational needs of and constituencies served by said university and campuses; (B) the degrees offered by said university; and (C) the role and scope of each institution and campus within the university system, which shall include each institution's and campus' particular strengths and specialties; (3) establish policies for the university system and for the individual institutions and campuses under its jurisdiction; (4) [submit to the Board of Regents for Higher Education, for approval,] review and approve recommendations for the establishment of new academic programs; (5) report all new programs and program changes to the Office of Higher Education, (6) make recommendations, when appropriate, regarding institutional or campus mergers or closures; [(6)] (7) coordinate the programs and services of the institutions and campuses under its jurisdiction; [(7)] (8) be authorized to enter into agreements, consistent with the provisions of section 5-141d, to save harmless and indemnify sponsors of research

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grants to The University of Connecticut, provided such an agreement is required to receive the grant and limits liability to damages or injury resulting from acts or omissions related to such research by employees of the university; [(8)] (9) promote fund-raising to assist the university and report to the executive director of the Office of Higher Education and the joint standing committee of the General Assembly having cognizance of matters relating to education by January 1, 1994, and biennially thereafter, on such fund-raising; [(9)] (10) charge the direct costs for a building project under its jurisdiction to the bond fund account for such project, provided (A) such costs are charged in accordance with a procedure approved by the Treasurer and (B) nothing in this subdivision shall permit the charging of working capital costs, as defined in the applicable provisions of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, or costs originally paid from sources other than the bond fund account; [(10)] (11) exercise the powers delegated to it pursuant to section 10a-109d; and [(11)] (12) establish by October 1, 1997, policies governing the acceptance of gifts made by a foundation established pursuant to sections 4-37e and 4-37f to the university or its employees for reimbursement of expenditures or payment of expenditures on behalf of the university or its employees.

Sec. 6. Section 10a-35a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Notwithstanding sections 10a-34 to 10a-35, inclusive, the Board of Regents for Higher Education shall have the authority, in accordance with the provisions of said sections 10a-34 to 10a-35, inclusive, over academic degrees awarded by [public institutions of higher education in this state] the state colleges within the Connecticut State University System, the regional community-technical colleges and the Board for State Academic Awards, including the (1) operation

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of such public institutions of higher education and the programs offered by such public institutions of higher education, (2) licensure and accreditation of such public institutions of higher education and programs offered by such public institutions of higher education, (3) evaluation and approval of applications to confer academic degrees made by such public institutions of higher education, and (4) assessment of any violation by [a] such public [institution] institutions of higher education of the authority of said board as described in subdivisions (1) to (3), inclusive, of this section and the imposition of a penalty for such violation.

(b) Notwithstanding sections 10a-34 to 10a-35, inclusive, the Board of Trustees for The University of Connecticut shall (1) have the authority to review and approve recommendations for the establishment of new academic programs, and (2) report all new programs and program changes to the Office of Higher Education.

Sec. 7. Subparagraph (B) of subdivision (2) of subsection (b) of section 10-16p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(B) From July 1, 2015, to June 30, 2020, "staff qualifications" means that for each early childhood education program accepting state funds for infant, toddler and preschool spaces associated with such program's child day care program or school readiness program, (i) at least fifty per cent of those individuals with the primary responsibility for a classroom of children hold (I) certification pursuant to section 10-145b, as amended by this act, with an endorsement in early childhood education or early childhood special education, or (II) a bachelor's degree with a concentration in early childhood education, including, but not limited to, a bachelor's degree in early childhood education, child study, child development or human growth and development, from an institution of higher education (1) accredited by the Board of Regents for Higher Education or [State Board of Education] Office of

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Higher Education, and (2) regionally accredited, provided such bachelor's degree program is approved by the Board of Regents for Higher Education and the Department of Education, and (ii) such remaining individuals with the primary responsibility for a classroom of children hold an associate degree with a concentration in early childhood education, including, but not limited to, an associate's degree in early childhood education, child study, child development or human growth and development, from an institution of higher education (1) accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education, and (2) regionally accredited, provided such associate degree program is approved by the Board of Regents for Higher Education and the Department of Education; and

Sec. 8. Subsection (a) of section 10-145b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The State Board of Education, upon receipt of a proper application, shall issue an initial educator certificate to any person who has graduated (1) from a four-year baccalaureate program of teacher education as approved by said state board, or (2) from a four-year baccalaureate program approved by said state board or from a college or university accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or regionally accredited, provided such person has taken such teacher training equivalents as the State Board of Education shall require and, unless such equivalents are taken at institutions outside of this state, as the board of regents shall accredit. In addition, on and after July 1, 1993, each applicant shall have completed a subject area major as defined by the State Board of Education, except as provided in section 10-145l. Each such initial educator certificate shall be valid for three years, except as provided in subsection (c) of this section, and may be

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extended by the Commissioner of Education for an additional year for good cause upon the request of the superintendent in whose school district such person is employed or upon the request of the assessment team reviewing such person's performance.

Sec. 9. Subparagraph (B) of subdivision (1) of subsection (c) of section 10-145b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(B) The applicant meets the following requirements, except as otherwise provided in subparagraph (C) of this subdivision:

(i) Holds a bachelor's degree from an institution of higher education accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or regionally accredited with a major either in or closely related to the certification endorsement area in which the requesting board of education is placing the applicant or, in the case of secondary or special subject or field endorsement area, possesses at least the minimum total number of semester hours of credit required for the content area, except as provided in section 10-145l;

(ii) Has met the requirements pursuant to subsection (b) of section 10-145f;

(iii) Presents a written application on such forms as the Commissioner of Education shall prescribe;

(iv) Has successfully completed an alternate route to certification program provided by the Board of Regents for Higher Education or the Office of Higher Education or public or independent institutions of higher education, regional educational service centers or private teacher or administrator training organizations and approved by the State Board of Education;

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(v) Possesses an undergraduate college overall grade point average of at least "B" or, if the applicant has completed at least twenty-four hours of graduate credit, possesses a graduate grade point average of at least "B"; and

(vi) Presents supporting evidence of appropriate experience working with children; and

Sec. 10. Subsection (a) of section 10-145m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The State Board of Education, upon receipt of a proper application, shall issue a resident teacher certificate to any applicant in the certification endorsement areas of elementary education, middle grades education, secondary academic subjects, special subjects or fields, special education, early childhood education and administration and supervision, who (1) holds a bachelor's degree from an institution of higher education accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or regionally accredited, (2) possesses a minimum undergraduate college cumulative grade point average of 3.00, (3) has achieved a qualifying score, as determined by the State Board of Education, on the appropriate State Board of Education approved subject area assessment, and (4) is enrolled in an alternate route to certification program, approved by the State Board of Education, that meets the guidelines established by the No Child Left Behind Act, P.L. 107-110.

Sec. 11. Subsection (a) of section 10-145n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Subject to the provisions of subsection (g) of this section, the State Board of Education, upon the request of a local or regional board

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of education or a regional educational service center, may issue an adjunct instructor permit to any applicant with specialized training, experience or expertise in the arts, as defined in subsection (a) of section 10-16b. Such permit shall authorize a person to hold a part-time position, of no more than fifteen classroom instructional hours per week at a part-time interdistrict arts magnet high school in existence on July 1, 2009, and approved pursuant to section 10-264l or the Cooperative Arts and Humanities Magnet High School, as a teacher of art, music, dance, theater or any other subject related to such holder's artistic specialty. Except as provided in subsection (g) of this section, such applicant shall (1) hold a bachelor's degree from an institution of higher education accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or regionally accredited, (2) have a minimum of three years of work experience in the arts, or one year of work experience and two years of specialized schooling related to such applicant's artistic specialty, and (3) attest to the State Board of Education that he or she has at least one hundred eighty hours of cumulative experience working with children, in a private or public setting, including, but not limited to, after school programs, group lessons, children's theater, dance studio lessons and artist-in-residence programs, or at least two years experience as a full-time faculty member at an institution of higher education.

Sec. 12. Subsection (a) of section 10-145p of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) The Department of Education shall review and approve proposals for alternate route to certification programs for school administrators. In order to be approved, a proposal shall provide that the alternative route to certification program (1) be provided by a public or independent institution of higher education, a local or

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regional board of education, a regional educational service center or a private, nonprofit teacher or administrator training organization approved by the State Board of Education; (2) accept only those participants who (A) hold a bachelor's degree from an institution of higher education accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or regionally accredited, (B) have at least forty school months teaching experience, of which at least ten school months are in a position requiring certification at a public school, in this state or another state, and (C) are recommended by the immediate supervisor or district administrator of such person on the basis of such person's performance; (3) require each participant to (A) complete a one-year residency that requires such person to serve (i) in a position requiring an intermediate administrator or supervisor endorsement, and (ii) in a full-time position for ten school months at a local or regional board of education in the state under the supervision of (I) a certified administrator, and (II) a supervisor from an institution or organization described in subdivision (1) of this subsection, or (B) have ten school months experience in a full-time position as an administrator in a public or nonpublic school in another state that is approved by the appropriate state board of education in such other state; and (4) meet such other criteria as the department requires.

Sec. 13. Subdivision (1) of subsection (c) of section 10-155/ of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(1) A fellows program leading to the eligibility for an educator certificate for minority individuals who have (A) completed an intensive summer session focusing on classroom management and methodology, (B) received a bachelor's degree from an institution of higher education accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or



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regionally accredited, (C) achieved a satisfactory score on the examination required pursuant to section 10-145f or have had such requirement waived pursuant to said section, and (D) have such other qualifications for the issuance of an educator certificate as are required for individuals participating in the alternate route to certification program under section 10-155d;

Sec. 14. Subsections (f) and (g) of section 10-221a of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(f) Determination of eligible credits shall be at the discretion of the local or regional board of education, provided the primary focus of the curriculum of eligible credits corresponds directly to the subject matter of the specified course requirements. The local or regional board of education may permit a student to graduate during a period of expulsion pursuant to section 10-233d, if the board determines the student has satisfactorily completed the necessary credits pursuant to this section. The requirements of this section shall apply to any student requiring special education pursuant to section 10-76a, except when the planning and placement team for such student determines the requirement not to be appropriate. For purposes of this section, a credit shall consist of not less than the equivalent of a forty-minute class period for each school day of a school year except for a credit or part of a credit toward high school graduation earned (1) at an institution accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or regionally accredited; or (2) through on-line coursework that is in accordance with a policy adopted pursuant to subsection (g) of this section.

(g) Only courses taken in grades nine through twelve, inclusive, shall satisfy this graduation requirement, except that a local or regional board of education may grant a student credit (1) toward meeting a specified course requirement upon the successful completion in grade

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seven or eight of any course, the primary focus of which corresponds directly to the subject matter of a specified course requirement in grades nine to twelve, inclusive; (2) toward meeting the high school graduation requirement upon the successful completion of a world language course (A) in grade six, seven or eight, (B) through on-line coursework, or (C) offered privately through a nonprofit provider, provided such student achieves a passing grade on an examination prescribed, within available appropriations, by the Commissioner of Education and such credits do not exceed four; (3) toward meeting the high school graduation requirement upon achievement of a passing grade on a subject area proficiency examination identified and approved, within available appropriations, by the Commissioner of Education, regardless of the number of hours the student spent in a public school classroom learning such subject matter; (4) toward meeting the high school graduation requirement upon the successful completion of coursework at an institution accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or regionally accredited. One three-credit semester course, or its equivalent, at such an institution shall equal one-half credit for purposes of this section; (5) toward meeting the high school graduation requirement upon the successful completion of on-line coursework, provided the local or regional board of education has adopted a policy in accordance with this subdivision for the granting of credit for on-line coursework. Such a policy shall ensure, at a minimum, that (A) the workload required by the on-line course is equivalent to that of a similar course taught in a traditional classroom setting, (B) the content is rigorous and aligned with curriculum guidelines approved by the State Board of Education, where appropriate, (C) the course engages students and has interactive components, which may include, but are not limited to, required interactions between students and their teachers, participation in on-line demonstrations, discussion boards or virtual labs, (D) the program of instruction for such on-line coursework is planned, ongoing and

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systematic, and (E) the courses are (i) taught by teachers who are certified in the state or another state and have received training on teaching in an on-line environment, or (ii) offered by institutions of higher education that are accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or regionally accredited; or (6) toward meeting the high school graduation requirement upon the successful completion of the board examination series pursuant to section 10-5c.

Sec. 15. Section 10-264n of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

The Commissioner of Education shall consult with (1) the Board of Trustees for Community-Technical Colleges, (2) the Board of Trustees of the Connecticut State University System, (3) the boards of trustees for higher education institutions licensed and accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education, or (4) the Board of Trustees for The University of Connecticut and may consult with any not-for-profit corporation approved by the Commissioner of Education to initiate collaborative planning for establishing additional interdistrict magnet schools in the Sheff region, as defined in subsection (q) of section 10-266aa.

Sec. 16. Subsection (a) of section 10a-1d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) There is established an Office of Higher Education. Such office shall be within the Board of Regents for Higher Education for administrative purposes only. The Office of Higher Education shall administer the programs set forth in sections 10-19g, 10-155d, 10a-10a, 10a-11, 10a-11a, 10a-17d, 10a-34 to 10a-34f, inclusive, as amended by this act, 10a-35, as amended by this act, 10a-36 to 10a-42g, inclusive, 10a-164a, 10a-166 and 10a-168a to 10a-170, inclusive. The [State Board

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of Education] Office of Higher Education shall be responsible for approving any action taken pursuant to sections 10a-34 to 10a-34f, inclusive, as amended by this act.

Sec. 17. Section 10a-35 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

No person, school, board, association or corporation which, prior to July 1, 1935, was granted authority to confer any standard academic, professional or graduate degree and which did not, prior to July 1, 1935, exercise such authority shall confer any such degree until it is determined by the Office of Higher Education [and approved by the State Board of Education] that its organization and equipment are such that it is fully competent to meet the degree standards set and maintained by similar institutions. Any degree granted in violation of the provisions of this section shall be null and void. Any person, school, board, association or corporation which violates any provision of this section shall be fined not more than one thousand dollars.

Sec. 18. Subsection (c) of section 10a-163 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(c) Full-time undergraduate students in their junior or senior years and full-time graduate students who have been admitted to a teacher education program approved by the State Board of Education and accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education and which prepares an individual for teaching in a field designated by the Commissioner of Education as an area of critical teacher shortage shall, within available appropriations, be eligible for student loans under this program in an amount not greater than five thousand dollars per year for not more than two years.

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Sec. 19. Subparagraph (J) of subdivision (37) of subsection (a) of section 12-407 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(J) Business analysis, management, management consulting and public relations services, excluding (i) any environmental consulting services, (ii) any training services provided by an institution of higher education licensed or accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education pursuant to sections 10a-35a and 10a-34, as amended by this act, respectively, and (iii) on and after January 1, 1994, any business analysis, management, management consulting and public relations services when such services are rendered in connection with an aircraft leased or owned by a certificated air carrier or in connection with an aircraft which has a maximum certificated take-off weight of six thousand pounds or more;

Sec. 20. Subsection (b) of section 20-37a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(b) Notwithstanding the requirements of section 20-37, no license to practice natureopathic medicine is required of:

(1) Students enrolled in a college or program of natureopathic medicine if (A) the college or program is recognized by the Council on Natureopathic Medical Education or licensed or accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education, and (B) the practice that would otherwise require a license is pursuant to a course of instruction or assignments from an instructor and under the supervision of the instructor; or

(2) Licensed faculty members providing the didactic and clinical training necessary to meet the accreditation standards of the Council

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on Natureopathic Medical Education at a college or program recognized by the council or licensed or accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education.

Sec. 21. Section 20-206bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) No person shall engage in the practice of acupuncture without a license as an acupuncturist issued pursuant to this section.

(b) Each person seeking licensure as an acupuncturist shall make application on forms prescribed by the department, pay an application fee of two hundred dollars and present to the department satisfactory evidence that the applicant (1) has completed sixty semester hours, or its equivalent, of postsecondary study in an institution of postsecondary education that, if in the United States or its territories, was accredited by a recognized regional accrediting body or, if outside the United States or its territories, was legally chartered to grant postsecondary degrees in the country in which located, (2) has successfully completed a course of study in acupuncture in a program that, at the time of graduation, was in candidate status with or accredited by an accrediting agency recognized by the United States Department of Education and included (A) for a person who completed such course of study before October 1, 2012, a minimum of one thousand three hundred fifty hours of didactic and clinical training, five hundred of which were clinical, or (B) for a person who completed such course of study on or after October 1, 2012, a minimum of one thousand nine hundred five hours of didactic and clinical training, six hundred sixty of which were clinical, (3) has passed all portions of the National Certification Commission for Acupuncture and Oriental Medicine examination required for acupuncture certification or an examination prescribed by the department, and (4) has successfully completed a course in clean

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needle technique prescribed by the department. Any person successfully completing the education, examination or training requirements of this section in a language other than English shall be deemed to have satisfied the requirement completed in that language.

(c) An applicant for licensure as an acupuncturist by endorsement shall present evidence satisfactory to the commissioner of licensure or certification as an acupuncturist, or as a person entitled to perform similar services under a different designation, in another state or jurisdiction whose requirements for practicing in such capacity are equivalent to or higher than those of this state and that there are no disciplinary actions or unresolved complaints pending. Any person completing the requirements of this section in a language other than English shall be deemed to have satisfied the requirements of this section.

(d) Notwithstanding the provisions of subsection (b) of this section, the department shall, prior to September 1, 2005, issue a license to any applicant who presents to the department satisfactory evidence that the applicant has (1) earned, or successfully completed requirements for, a master's degree in acupuncture from a program that includes a minimum of one thousand three hundred fifty hours of didactic and clinical training, five hundred of which are clinical, from an institution of higher education accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education at the time of the applicant's graduation, (2) passed all portions of the National Certification Commission for Acupuncture and Oriental Medicine acupuncture examination, including the acupuncture portion of the comprehensive written examination in acupuncture, the clean needle technique portion of the comprehensive written examination in acupuncture and the practical examination of point location skills, and (3) successfully completed a course in clean needle technique offered by the Council of Colleges of Acupuncture and Oriental Medicine.

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(e) Licenses shall be renewed once every two years in accordance with the provisions of subsection (e) of section 19a-88. The fee for renewal shall be two hundred fifty dollars.

(1) Except as provided in subdivision (2) of this subsection, for registration periods beginning on and after October 1, 2014, a licensee applying for license renewal shall (A) maintain a certification by the National Certification Commission for Acupuncture and Oriental Medicine, or (B) earn not less than thirty contact hours of continuing education approved by the National Certification Commission for Acupuncture and Oriental Medicine within the preceding twenty-four-month period.

(2) Each licensee applying for license renewal pursuant to section 19a-88, except a licensee applying for a license renewal for the first time, shall sign a statement attesting that he or she has satisfied the certification or continuing education requirements described in subdivision (1) of this subsection on a form prescribed by the department. Each licensee shall retain records of attendance or certificates of completion that demonstrate compliance with the continuing education or certification requirements described in subdivision (1) of this subsection for not less than five years following the date on which the continuing education was completed or the certification was renewed. Each licensee shall submit such records to the department for inspection not later than forty-five days after a request by the department for such records.

(3) In individual cases involving medical disability or illness, the commissioner may grant a waiver of the continuing education or certification requirements or an extension of time within which to fulfill such requirements of this subsection to any licensee, provided the licensee submits to the department an application for waiver or extension of time on a form prescribed by the commissioner, along with a certification by a licensed physician of the disability or illness



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and such other documentation as may be required by the department. The commissioner may grant a waiver or extension for a period not to exceed one registration period, except that the commissioner may grant additional waivers or extensions if the medical disability or illness upon which a waiver or extension is granted continues beyond the period of the waiver or extension and the licensee applies for an additional waiver or extension.

(4) A licensee whose license has become void pursuant to section 19a-88 and who applies to the department for reinstatement of such license, shall submit evidence documenting valid acupuncture certification by the National Certification Commission for Acupuncture and Oriental Medicine or successful completion of fifteen contact hours of continuing education within the one-year period immediately preceding application for reinstatement.

(f) No license shall be issued under this section to any applicant against whom professional disciplinary action is pending or who is the subject of an unresolved complaint in this or any other state or territory of the United States.

(g) Nothing in section 20-206aa or 20-206cc or this section shall be construed to prevent licensed practitioners of the healing arts, as defined in section 20-1, physical therapists or dentists from providing care or performing services consistent with accepted standards within their respective professions.

(h) Notwithstanding the provisions of subsection (a) of this section, any person certified by an organization approved by the Commissioner of Public Health may practice auricular acupuncture for the treatment of alcohol and drug abuse, provided the treatment is performed under the supervision of a physician licensed under chapter 370 and is performed in either (1) a private free-standing facility licensed by the Department of Public Health for the care or treatment

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of substance abusive or dependent persons, or (2) a setting operated by the Department of Mental Health and Addiction Services. The Commissioner of Public Health shall adopt regulations, in accordance with the provisions of chapter 54, to ensure the safe provision of auricular acupuncture within private free-standing facilities licensed by the Department of Public Health for the care or treatment of substance abusive or dependent persons.

(i) Notwithstanding the provisions of subsection (a) of this section, no license to engage in the practice of acupuncture is required of: (1) Students enrolled in a college or program of acupuncture if (A) the college or program is recognized by the Accreditation Commission for Acupuncture and Oriental Medicine or licensed or accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education, and (B) the practice that would otherwise require a license is pursuant to a course of instruction or assignments from a licensed instructor and under the supervision of the instructor; or (2) faculty members providing the didactic and clinical training necessary to meet the accreditation standards of the Accreditation Commission for Acupuncture and Oriental Medicine at a college or program recognized by the commission or licensed or accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education. For purposes of this subsection, "licensed instructor" means a faculty member or instructor licensed under this section or otherwise authorized to engage in the practice of acupuncture in this state.

(j) No person shall use the title "acupuncturist", or use in connection with his or her name, any letters, words or insignia indicating or implying that such person is a licensed acupuncturist or advertise services as an acupuncturist, unless such person holds a license as an acupuncturist issued pursuant to this section. No person shall represent himself or herself as being certified to practice auricular

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acupuncture for the treatment of alcohol and drug abuse, or use in connection with his or her name the term "acupuncture detoxification specialist", or the letters "A.D.S." or any letters, words or insignia indicating or implying that such person is certified to practice auricular acupuncture for the treatment of alcohol and drug abuse unless such person is certified in accordance with subsection (h) of this section. Nothing in this subsection shall be construed to prevent a person from providing care, or performing or advertising services within the scope of such person's license or as otherwise authorized in this section.

Sec. 22. Section 30-20a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) (1) A university permit for beer shall allow the retail sale of beer on land and in a building which is subject to the care, custody and control of an institution offering a program of higher learning, as defined in section 10a-34, as amended by this act, which has been accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or otherwise is authorized to award a degree pursuant to section 10a-34, as amended by this act. Such beverages shall be available for consumption on the premises by students, faculty and staff of the institution or their guests. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university permit for beer shall be three hundred dollars.

(2) A university permit for wine and beer shall allow the retail sale of wine and beer on land and in a building which is subject to the care, custody and control of an institution offering a program of higher learning, as defined in section 10a-34, as amended by this act, which has been accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or otherwise is authorized to award a degree pursuant to section 10a-34, as amended

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by this act. Such beverages shall be available for consumption on the premises by students, faculty and staff of the institution or their guests. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university permit for beer and wine shall be seven hundred dollars.

(b) A university liquor permit shall allow the retail sale of alcoholic liquor: (1) In a room that is subject to the care, custody and control of The University of Connecticut Board of Trustees, or (2) on land or in a building situated on or abutting a golf course which is subject to the care, custody and control of an institution offering a program of higher learning, as defined in section 10a-34, as amended by this act, which has been accredited by the Board of Regents for Higher Education or [State Board of Education] Office of Higher Education or otherwise is authorized to award a degree pursuant to section 10a-34, as amended by this act. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university liquor permit shall be three hundred dollars.

Sec. 23. (NEW) (*Effective July 1, 2013*) When any independent institution of higher education provides, upon request, student data or records containing information that is confidential under federal or state law to a local or regional board of education or any department or agency of the state, including, but not limited to, the Board of Regents for Higher Education, The University of Connecticut, the Office of Higher Education and the Labor Department, in accordance with such federal or state law and pursuant to the terms of a written agreement with such board, department or agency, such independent institution of higher education shall not be held liable for any breach of confidentiality, use, retention, or destruction of such student data or records that results from the actions or omissions of such board, department, or agency or of any person providing access to such student data or records obtained by such board, department or agency.

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For purposes of this section, confidential student data or records includes, but is not limited to, personally identifiable information, as defined in the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g, as from time to time amended, at 34 CFR 99.3.

Approved June 6, 2013